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November 18, 2022

**VIA ECF and EMAIL** (Failla\_NYSDChambers@nysd.uscourts.gov)

Hon. Katherine Polk Failla  
United States District Court  
for the Southern District of New York  
40 Foley Square, Room 2103  
New York, NY 10007

**MEMO ENDORSED**

**Re: *Dicks v. Sears Authorized Hometown Stores, LLC* (22-cv-06634 (KPF))**  
**Request on Consent for Adjournment of Nov. 22, 2022 Initial Pretrial Conference**

Dear Judge Failla:

This firm represents defendant Sears Authorized Hometown Stores, LLC (“Sears”) in the above-referenced matter, which filed its answer on November 8, 2022. I am writing to request respectfully an adjournment of the upcoming initial pretrial conference, presently scheduled for November 22, 2022, until December 12, 2022. I have consulted with adversary counsel, who consents to the present request. This is Sears' first request for an adjournment of the initial pretrial conference date, and I am requesting the adjournment for personal family reasons.

We thank the Court in advance for its prompt attention to this matter.

Respectfully,

  
Jonathan D. Lupkin

cc: All counsel of record (via ECF and email)

Application GRANTED. The initial pretrial conference scheduled to take place on November 22, 2022, is hereby **ADJOURNED to December 13, 2022, at 11:00 a.m.**

The Clerk of Court is directed to terminate the pending motion at docket entry 14.

Dated: November 18, 2022  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE